

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**BOARDS OF TRUSTEES OF OHIO
LABORERS' BENEFIT PROGRAMS,**

Plaintiffs,

v.

**BEN JONES CONCRETE
CONSTRUCTIONS, INC.,**

Defendant.

Case No. 2:19-cv-790

Judge Graham

Magistrate Judge Jolson

ORDER

This matter is before the Court for consideration of the June 12, 2019, Report and Recommendation of Magistrate Judge Jolson. (ECF No. 9.) Magistrate Judge Jolson considered Plaintiffs' Motion for Default Judgment (ECF No. 8) and the accompanying exhibits submitted and recommended that the Motion for Default Judgment be granted and further recommended that the Clerk enter judgment against Defendant in favor of Plaintiffs in the amount of \$29,237.65, plus attorney's fees of \$2,240.00 plus interest from the time of judgment at the rate of one percent (1%) per month, and that Plaintiffs be awarded costs. (ECF No. 9 at 36.) For the reasons set forth below, the Court **ADOPTS** the Report and Recommendation issued by Magistrate Judge Jolson (ECF No. 9), and Plaintiffs' Motion for Default Judgment (ECF No. 8) is **GRANTED**.

The Report and Recommendation specifically advised the parties that failure to object to the Report and Recommendation within fourteen (14) days "will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation." (ECF No. 9 at 36–37.) The June 26, 2019 deadline for filing objections to the

Report and Recommendation has since expired, and no party has objected to the Report and Recommendation.

The Court therefore **ADOPTS** the Report and Recommendation of Magistrate Judge Jolson. (ECF No. 9.) Plaintiffs' Motion for Default Judgment (ECF No. 8) is **GRANTED**. Default judgment is hereby entered against Defendant Ben Jones Concrete Construction, Inc. in the sum of \$29,237.65, plus attorney's fees of \$2,240.00, plus interest from the time of judgment at the rate of one percent (1%) per month, and the costs of this action. The Clerk is directed to enter final judgment in this case.

IT IS SO ORDERED.

/s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: July 8, 2019